

Non Sealed Minutes of the Non-Public Session of October 3, 2016

Selectmen Present

Rusty Bridle, Chairman
James Waddell, Vice Chairman
Philip Bean, Selectman
Richard Griffin, Selectman
Regina Barnes, Selectman

Also Present

Town Manager Frederick Welch
Town Attorney Mark Gearreald

At the conclusion of the Selectmen's Public Session at about 9:25 p.m., and without adjourning upon motion duly made by Selectman Barnes, seconded by Selectmen Waddell, the Board voted unanimously by Roll Call vote to go into a Non-Public Session under RSA 91:A:3,II(e) (Litigation).

Aquarion Water Company Motion to close PUC Docket No DW 16-804. After a description by the Town Attorney of the pending Motion and need for Board direction on how to respond to same, Selectman Waddell moved to proceed on the basis of concurring with Aquarion's Motion subject to future proceedings being noticed to the Town on any Aquarion plans to expand its service territory to Stratham, seconded by Selectman Barnes. This Motion passed unanimously.

Discussion was held concerning the upcoming meeting to be held by the Department of Environmental Services on Wednesday, October 5, 2016 at 10 a.m. at the Portsmouth Water Treatment Plant in Madbury. Selectmen Waddell asked the subject of drought be put on a future meeting agenda for discussion. Attorney Gearreald passed around a list of the fliers and publications that are on the Department of Environmental Services Website concerning this subject.

The non-public session concluded at about 9:40 p.m. and the minutes were not sealed. The Board rejoined its Public Session.

At that time, the Town Attorney noted that based upon data he has received from the Finance Department, the hourly rate that is charged for his time in reviewing documents and in attorney's fees awards made in the Town's favor by the Court needs to be raised from the present rate of \$66 per hour to \$95 per hour given that the Legal Department is now under one attorney rather than two. The overhead is there for not being shared by two attorneys as it was before. On motion made by Selectmen Waddell, seconded by Selectman Barnes, the Board voted unanimously to approve the increase from \$66 per hour to \$95 per hour effective October 1, 2016.

The Public Session adjourned at 9:38 p.m. upon motion made by Selectman Waddell, seconded by Selectmen Barnes, voted unanimously in favor.

Respectfully submitted,

Chairman Rusty Bridle.
For the Board